

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

Bail Appl..No. 334 of 2007()

CRMP.4234/2006 of ADDL.D.C. & ADDL.MACT,ALAPPUZHA.
CRIME NO.241/06 OF KUTHIATHODU POLICE STATION
.....

: PETITIONER/ACCUSED

SHIJU ALIAS KUNJUKUTTAN, AGED 23 YEARS,
S/O.RAGHAVAN, KAVIPURATHU HOUSE,
KODAMTHURATHU PANCHAYATH, KUTHIATHODU P.O.,
CHERTHALA, ALAPUZZHA DIST.

BY ADV. SRI.JOHN JUDE ISSAC

RESPONDENTS: COMPLAINANTS

1. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERANAKULAM.
2. THE SUB INSPECTOR OF POLICE,
KUTHIATHODU.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 334 OF 2007 B
.....

Dated this the 2nd day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in Crime No.241/06 of Kuthiathodu Police Station for an offence punishable under Sec.326 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. The occurrence took place at 9.30 p.m. on 2.11.2006 during which the de facto complainant was attacked with sword resulting in the amputation of his middle finger and fracture of little finger besides other injuries. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within a period of two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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